

**Notice of Allowability**

Application No.

10/673,147

Applicant(s)

TAKAHASHI, HIDEKI

Examiner

Paul Huber

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2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 19-24 (renumbered as claims 1-6, respectively).
3. ☒ The drawings filed on 30 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/705,769.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

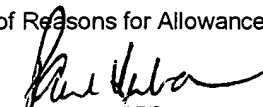
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 093003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

  
**PAUL W. HUBER**  
PRIMARY EXAMINER

**EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

The preliminary amendment to the specification filed September 30, 2003, i.e., paragraph at page 1, lines 5-9, was deleted and replaced with the following paragraph:

-- This application is a divisional of Application Serial No. 10/300,816, filed November 21, 2002, now U.S. Patent No. 6,646,969, which is a divisional of Application Serial No. 09/705,769, filed November 6, 2000, now U.S. Patent No. 6,560,181. This application is based upon and claims the benefit of priority from the prior Japanese Patent Application No. 11-318821, filed November 9, 1999, the entire contents of which are incorporated herein by reference. --

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each of the references on the PTO-892 discloses a data recording/reproducing apparatus and method corresponding to a plurality of data types.

The following is an examiner's statement of reasons for allowance: the prior art of record considered as a whole fails to teach or suggest either:

1) an information recording medium which has a plurality of sector fields that record data, and in which a block is defined by a set of a predetermined number of sector fields, wherein each sector field has a recording type area for storing one of first identification information indicating that general data is recorded, and second identification information indicating that real-time data is recorded, **when general data to which a linear replacement algorithm is applicable is recorded in a given sector field, the recording type area of the given sector field stores the first identification information, and when real-time data to which the linear replacement algorithm is inapplicable is recorded in the given sector field, the recording type area of the given sector field stores the second identification information;** or

2) an information recording apparatus for recording information on an information recording medium which has a plurality of sector fields that record data and respectively have recording type areas, and in which a block is defined by a set of a predetermined number of sector fields, comprising: **recording means for recording, in the**

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recording type area of a given sector field, first identification information indicating that general data is recorded when general data to which a linear replacement algorithm is applied is recorded in the given sector field on the information recording medium, and recording, in the recording type area of the given sector field, second identification information indicating that real-time data is recorded when real-time data to which the linear replacement algorithm is inapplicable is recorded in the given sector field on the information recording medium; or

3) an information recording method comprising: the step of, when general data to which a linear replacement algorithm is applicable is recorded in a predetermined sector field of an information recording medium which has a plurality of sector fields that record data and respectively have recording type areas, and in which a block is defined by a set of a predetermined number of sector fields, recording first identification information indicating that general data is recorded in the recording type area of the predetermined sector field; and the step of, when real-time data to which the linear replacement algorithm is inapplicable is recorded in the predetermined sector field of the information recording medium, recording second identification information indicating that real-time data is recorded in the recording type area of the predetermined sector field. (bold/underlined language emphasized)

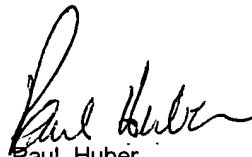
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Huber whose telephone number is 571-272-7588. The examiner can normally be reached on Compressed Schedule, every Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Paul Huber", is positioned above the printed name.

Paul Huber  
Primary Examiner  
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pwh  
June 13, 2005